



ED KEE
SECRETARY
E. AUSTIN SHORT
DEPUTY SECRETARY

STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
2320 SOUTH DUPONT HIGHWAY
DOVER, DELAWARE 19901
dda.delaware.gov

TELEPHONE (302) 698-4500
TOLL FREE (800) 282-8685
FAX (302) 697-6287

April 12, 2016

Tawanda Maignan
Section 18 Emergency Response Team
U.S. EPA, Office of Pesticide Programs (7505P)
Document Processing Desk (EMEX)
Room S4900, One Potomac yard
2777 Crystal Drive
Arlington, VA 22202

RE: Re-Certification request for bifenthrin to control brown marmorated stink bugs in stone and pome fruits.

Dear Mrs. Maignan:

The Delaware Department of Agriculture, as lead agency for pesticide regulation in Delaware, hereby requests a Specific Exemption renewal under Section 18 of FIFRA for the use of bifenthrin to control brown marmorated stink bugs.

This letter is recertifying that the emergency situation continues and all conditions and restrictions previously authorized remain unchanged.

The Department believes that bifenthrin will provide Delaware's commercial orchard growers with the desired economic benefits without contributing to adverse environmental or human health effects. Our office, to ensure proper implementation, will conduct routine use observations with growers when possible under this exemption.

The interim / final use report under 15-DE-01, 15-DE-02, and 15-DE-03 are as follows:

Amount of formulated product applied 4/6/2015 -10/15/2015:

1. Total acreage: 0 acres treated during 2015
2. Effectiveness of the pesticide in dealing with the emergency conditions: N/A
3. Adverse effects: N/A
4. Monitoring: N/A
5. Enforcement: DDA did not issue any enforcement action associated with the use of this product connected with this Section 18.

Page 2:

Thank you for reviewing this request, and if you have any questions please give me a call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Wade".

Christopher Wade
Pesticide Compliance Administrator

Enclosures

cc: Edwin Kee, Secretary Delaware Department of Agriculture
Jimmy Hughes, Environmental Program Manager I
Joanne Whalen, Extension IPM Specialist, University of Delaware



ED KEE
SECRETARY
E. AUSTIN SHORT
DEPUTY SECRETARY

STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
2320 SOUTH DUPONT HIGHWAY
DOVER, DELAWARE 19901
dda.delaware.gov

TELEPHONE (302) 698-4500
TOLL FREE (800) 282-8685
FAX (302) 697-6287

April 12, 2016

Tawanda Maignon
Section 18 Emergency Response Team
U.S. EPA, Office of Pesticide Programs (7505P)
Document Processing Desk (EMEX)
Room S4900, One Potomac yard
2777 Crystal Drive
Arlington, VA 22202

Dear Mrs. Maignon:

The Delaware Department of Agriculture, as lead agency for pesticide regulation in Delaware, hereby requests to be included on the regional Specific Exemption under Section 18 of FIFRA for the use of bifenthrin on pome and stone fruit trees to control the brown marmorated stink bugs(BMSB) (*Halyomorpha halys*).

Delaware is again requesting that all three counties (New Castle, Kent and Sussex) be included in the Specific Exemption. The estimated total acres requested are 200 acres of apples, 200 acres of peaches and 15 acres of nectarines.

Joanne Whalen, University of Delaware, Extension IPM Specialist, has submitted an assessment of significant economic loss from BMSB. At the end of the 2015 season, our fruit growers indicated that feeding from the BMSB continued to result in significant damage to apples and peaches. The damage in 2015 was higher for both peaches and apples compared to the last two seasons. In 2015, the apple damage was 25% of the culls with pack out being 30% lower than normal. In 2015, the peach damage was at least 50% of the culls with pack out being 15 % lower than normal. Growers indicate that if they do not follow an extremely regimented spray program, the damage would be severely higher. With the potential for sustained damage in 2016, we can expect the damage on apples and peaches in 2016 to be at least as high as past seasons.

As far as marketability losses, the consultant working with Delaware fruit growers, Joanne and the growers themselves agree that it is hard to determine a

percentage yield loss. It is very common for fruit to have multiple damage marks resulting from a variety of reasons. As far as peaches, if there is just one defect the fruit is thrown in the cull pile. Once a peach is put in the cull category it is no longer has any value. As a result, the income loss would be 100% for peaches and the same would be true for nectarines. In comparison, there is a number 2 market for apples placed in the cull category. Apples put in the cull category are sold for processing at about 10-15% of the fresh market rate. Members of the BMSB working group still estimate that BMSB will still pose an economic threat to fruit in the region. Therefore, the availability of bifenthrin on pome and stone fruit in Delaware will be critical to avoid significant economic losses for commercial fruit growers in 2016. The Department believes the approval of this request will not cause any harm to the environment or human health.

Enclosed are two listings of Endangered Species in Delaware. One is the Federal list and the other list is a State of Delaware compilation from the Department of Natural Resources and Environmental Control (DNREC). The animals and plants on the Federal listing will not be impacted by use of the insecticide on pome and stone fruit trees. None of these animals' habitats are located in the orchards and the plant species would not be affected even if exposure occurs. The nine (9) insects on the state list should not be effected either.

Thank you for your earliest response to this request. If you have any questions or need additional information, please contact my office or Joanne Whalen (302-831-1303).

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Wade", is written over a horizontal line.

Christopher Wade
Environmental Program Administrator
Delaware Department of Agriculture